

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BRANDON ASSOCIATES, LLC,  
*Plaintiff,*

v.

FAILSAFE AIR SAFETY SYSTEMS CORP.,  
*Defendant/Plaintiff-in-Counterclaim*

v.

DONALD B. FLANAGAN, in this individual  
capacity,  
*Defendant-in-Counterclaim*

Civil Action No. 04-12013 NMG

**MOTION FOR LEAVE  
TO FILE A REPLY TO PLAINTIFF'S OBJECTION  
TO DEFENDANT'S MOTION FOR SANCTIONS**

The Defendant, *Failsafe Air Safety Systems Corp.* ("Failsafe"), respectfully requests that the Court grant it leave, pursuant to Local Civil Rule 7.1(B)(3), to file the accompanying reply brief in response to the *Objection of Plaintiff Brandon Associates, LLC To Motion For Sanctions*, filed August 15, 2005 ("Opposition").

In support of this motion for leave to file a reply, Failsafe states that, in its Opposition, Brandon asserts two specific statements of fact which are clearly erroneous and/or which mischaracterize certain events or acts that Failsafe feels compelled to address and correct.

WHEREFORE, for these aforementioned reasons, Failsafe moves this Court to grant it leave to file the reply brief which is attached hereto.

DEFENDANT,  
*Failsafe Air Safety Systems Corp.*  
By its attorneys,

***s/Laurie M. Ruskin***

---

Laurie M. Ruskin, *Of Counsel*, BBO# 630374  
SWEDER & ROSS LLP  
21 Custom House Street, Suite 300  
Boston, MA 02110  
(617) 646-4466

Dated: August 22, 2005

CERTIFICATE OF SERVICE

I hereby certify that I caused a true copy of the above document to be served upon the attorney of record for each of the other parties in this action by U.S. mail this 22<sup>nd</sup> day of August, 2005.

***s/Laurie M. Ruskin***

---

Laurie M. Ruskin